

**Federal Defenders
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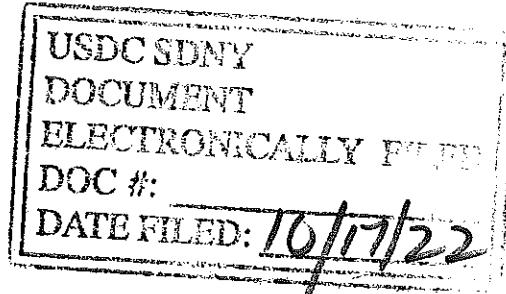
Southern District of New York

*Jennifer L. Brown
Attorney-in-Charge*

October 17, 2022

VIA ECF & EMAIL

The Honorable Judith McCarthy
United States Magistrate Judge
Southern District of New York
300 Quarropas Street,
White Plains, NY 10601



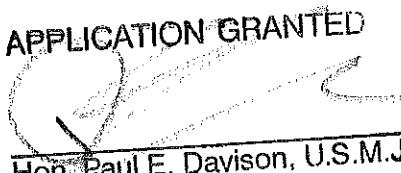
Re: *United States v. Kene Emezue, 7:22-mj-7994*

Dear Honorable Judge McCarthy:

I write to respectfully request that the Court modify Mr. Emezue's bail conditions to permit him to leave his apartment to take the household garbage to the incinerator located on the same floor within his apartment building.

Mr. Emezue made his initial appearance before the Honorable Paul E. Davison on October 3, 2022. Mr. Emezue was released on strict conditions, which included home incarceration and was released into the custody of his mother, Kimberly Capehart. Mr. Emezue has been diagnosed with Autism Spectrum Disorder, Selective Mutism, and Intellectual Disability. See Letter from Tyler Greene, Care Manager at Tri County Care, attached hereto as Exhibit A. In addition to living with his mother, he has a Care Manager that comes to his home to work with him. Because of his condition, he demonstrates repetitive behavior and finds routines reassuring.

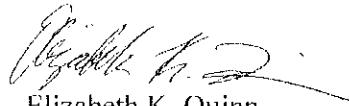
Prior to his arrest here, he would only leave his apartment to put the trash in the incinerator located on his floor of his apartment building. Since the conditions have been put into place, he has not been able to do so, and it has been a source of stress for him. Given that the travel to the incinerator would not cause him to leave the building and it is located close to his apartment, it is respectfully requested that his conditions be modified to allow for him to perform this discrete task. I have contacted the assigned Assistant United States Attorney Josiah Pertz and Pre-Trial Services Officer Cynthia Diaco and neither object to this modification.



10-17-22

Therefore, Mr. Emezue respectfully requests the Court grant this request. Thank you for your time and consideration of this matter.

Respectfully submitted,



Elizabeth K. Quinn
Assistant Federal Defender

cc: Josiah Pertz, AUSA
Cynthia Diaco, PTO
Viosanny Harrison, PTO